

RESOLUTION 2014-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORTUNA CONFIRMING THE BIENNIAL REVIEW OF THE CONFLICT OF INTEREST CODE

WHEREAS, The Political Reform Act, Government Code Section 81000, et, seq., requires state and local government agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations, Section 18730) containing terms of a standard conflict of interest code that may be incorporated by reference into an agency's conflict of interest code; and

WHEREAS, the Fair Political Practices Commission, after proper public notice and hearing, may amend the standard conflict of interest code to conform to amendments in the Political Reform Act; and

WHEREAS, the Political Reform Act requires the City to review its conflict of interest code biennially to determine if it is accurate or, alternatively that the code must be amended; and

WHEREAS, the City Council has previously designated employees, officers and disclosure categories in Resolution No. 2012-18 which now needs to be revised to add the Economic Development Coordinator and Financial Consultant to the Successor Agency/Oversight Board as a designated filers and remove several vacant positions (as shown in Appendix A) from the list of designated filers. The City Council determines the attached Appendices accurately set forth those updated positions which should be designated and categories of financial interest which should be made reportable.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Fortuna as follows:

1. The terms of Article 2 California Code of Regulations, Section 18730 along with any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and; Appendix A, listing Government Code Section 87200 Filers (for informational purposes only) and Designated Filers; and Appendix B setting forth the disclosure requirements, shall constitute the conflict of interest code of the City of Fortuna.
2. The City Clerk and Deputy City Clerk(s) are designated as the Filing Officials and Filing Officers for the City of Fortuna, and shall perform the duties of Filing Official and Filing Officer.
3. Government Code Section 87200 Filers shall file their Statements of Economic Interest with the Filing Officer for the City of Fortuna who shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission. (Included for informational purposes only).
4. Designated filers shall file their Statements of Economic Interest with the Filing Official for the City of Fortuna who shall retain the original of these statements.
5. All Statements of economic interest will be available for public inspection and reproduction (upon request) pursuant to Government Code Section 81008.

AND, BE IT FURTHER RESOLVED that the City of Fortuna has conducted the 2014 biennial review of its conflict of interest code, as required by the Political Reform Act, and as a result of the biennial review determined there is no need to amend the conflict of interest code as presented in this resolution. The conflict of interest code shall be adopted as resolution 2014-35, and shall rescind and supersede all previous conflict of interest codes of the City of Fortuna.

PASSED AND ADOPTED on this 18th day of August 2014 by the following vote:

AYES: Council Member Long, Trent, Mayor Pro Tem Losey, Mayor Strehl

NOES: None

ABSENT: Council Member Glaser

ABSTAIN: None

Douglas Strehl, Mayor

ATTEST:

Linda Jensen CMC, City Clerk

RESOLUTION NO 2014-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORTUNA TO ADOPT AN AMENDED CONFLICT OF INTEREST CODE UPDATING DESIGNATED EMPLOYEES AND OFFICERS.

APPENDIX A LIST OF G.C.CODE §87200 FILERS AND DESIGNATED FILERS

G.C. Code Section 87200 Filers are defined by California Government Code Section 87200 as “...members of planning commissions,...mayors, city managers, city attorneys, city treasurers, ... members of city councils of cities, and other public officials who manage public investments, and to candidates for any of these offices at any election.” Filing obligations for individuals holding these positions are contained in California Government Code Sections 87200-87210. They are listed here for informational purposes only.

Filing Official sends original to FPPC, and retains copy.

Mayor
Council Member
Planning Commissioner
City Manager
City Attorney
Finance Director
Candidates for any of these positions

Designated Filers are defined as employee, members and consultants determined by the City of Fortuna to be persons who “make or participate in the making of decisions which may foreseeably have a material effect on economic interests”, under 2 California Code of Regulations, Section 18730 (2) Designated Employees.

Filing Officer retains original.

Police Chief
Lieutenant
Human Resources Officer
City Clerk
Deputy City Clerk
Successor Agency Oversight Board Members
FBID Executive Director
FBID Board Members
~~Design Review Board Members~~
Office Supervisor – Police
~~Office Supervisor – Finance~~
Community Development Director / Deputy Director
City Engineer
City Planner
Associate City Planner
Building Official
~~Parks and Recreation Director~~
Public Works Director / ~~Deputy Director~~
River Lodge Manager
Economic Development Coordinator
Financial Consultant to the Successor Agency/Oversight Board

Professional Consultants:

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

Engineers and land surveyors who provide professional services as consultants need not file a statement unless those services relate to certain assessment recommendations.

The City Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

RESOLUTION NO 2014-35**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORTUNA
TO ADOPT AN AMENDED CONFLICT OF INTEREST CODE UPDATING DESIGNATED
EMPLOYEES AND OFFICERS.****APPENDIX B
DISCLOSURE REQUIREMENTS**

G.C. Code Section 87200 Filers: Disclosure requirements for Code Filers are contained in the Political Reform Act, Chapter 7-Conflict of Interest, Article 2-Disclosure, Sections 87200-87210.

Designated Filers: Full disclosure is required for all designated employees. Full disclosure includes all interest in real property located within the City of Fortuna (other than filer's principle residence), as well as investments, business positions and sources of income, including gifts, loans and travel payments.